

Aquinnah Planning Board Plan Review Committee Meeting October 16th, 2018

Members Present: Peter Temple, Chairman, Sarah Thulin, Jim Wallen, Berta Welch, Isaac Taylor, Jim Newman, Jim Mahoney, Jo Ann Eccher

Also Present: Phil Regan, Scott McCullough, Jim Vercruysse, Layne Bazzy, Seamus Mahoney, Laura and Sam Hart

Meeting opened at 6:36pm

Peter made a motion postpone the review of minutes to later in the meeting. Sarah seconded the motion. The PBPRC voted 5-0, the motion passed.

Jim M, Berta and Jo Ann entered the meeting.

PBPRC re-opened a meeting continued from 9/11/18 to review the request for Special Permit amendments for Niessen of 65 Moshup Trail Map 10 Lot 51 to alter the roof line by moving a chimney above the roof ridge line, change the rough opening of windows and change the siting of accessory structures where total footprint on the lot will exceed 2,000sf in the Moshup Trail DCPC. Jo Ann was recused. Phil Regan reviewed the changes with the Committee: change the approved North side chimney (within ridge line) and replace it with a wood stove and flue piping through the center of the roof ridge line, remove 4 windows and replace with cedar siding (below tree line), relocate outdoor shower and condenser units to West side (now sub-terrain), install French doors where the outdoor shower was originally sited on the East side of the structure. The Committee agreed that they would have no problem approving all of the changes except the chimney pipe.

Based on the discussion from the prior meeting, Phil had the flue pipe painted black and then gray, lowered from 42" above the ridge to 3ft and encapsulated in plywood to create a chimney like effect. Only Isaac had seen the changes. The Committee found that based on the code provision "10ft, 2ft and 3ft" rule which determines the height of the flue pipe in relation to the roof ridge, the current pipe breaks through the highest point of the ridge and must be at least 3ft above the roof ridge. Vantage photos of the chimney painted black and gray were presented to the Committee (there were no photos of the pipe alone at 3ft). In regard to bending the interior pipe to relocate the exterior location (a possible solution discussed at the previous meeting), Phil had spoken with the manufacture who did not recommend any bending. Also discussed at the prior meeting was the possibility of installing a different type of stove or insert that would allow for change in the exterior pipe location. Phil had spoken with the owners who expressed that if this stove was not allowable then they would possibly go back to the original plan (chimney on the North side of the structure).

Abutters Jim Vercruysse and Layne Bazzy voiced their concerns regarding the chimney: flue pipe and encasing still breaks the tree line which can be seen from public ways and conflicts with the Moshup Trail DCPC; circumventing of the permitting process by the owner; concern that the project as a whole seems to be less conforming than the demolished structure. There was brief discussion regarding the permitting process of the structure which the Committee had determined

is more conforming than the demolished structure (moved out of the set back and height lowered). The Committee reviewed whether the flue pipe is more detrimental to the neighborhood. While the flue pipe may not be the size of the whole structure, it does break the tree line and calls attention to it. The Committee took great issue with how the addition of the stove and flue pipe, along with the other changes, circumvented the permitting process (whether it was intentional or not). There was brief discussion on how changes being made without approval from the PBPRC seems to be a recent re-accruing issue with the architecture firm. Mid meeting, Isaac and Jim N recused themselves.

After much discussion, Sarah made a motion to approve all of the requested amendments to the Special Permit except the flue pipe as follows: removal of 4 long linear windows (two on the north and two on the south side of the structure) that were replaced with wood siding matching the rest of the structure, relocation of outside shower and HVAC equipment from the east side to the north side of the structure, and window modification on the east side including widening of the lower level glass doors and reduction in number of second floor windows and size. Motion was seconded by Jim M. **The PBPRC voted 5-0-3, the motion passed. Jo Ann, Isaac and Jim N abstained.**

Peter polled the Committee and found that the Committee was split on a decision regarding the flue pipe. The Committee requested that Town Counsel be consulted on the whether the “pre-existing non-conforming test” is still relevant for this structure and clarification on what is considered to be “substantially more detrimental”. Berta also requested that the Committee check with Town Counsel for clarification on how the Committee should consider the neighbors views when making a final decision. Peter entertained a motion to continue the matter of the stove pipe to November 7th, 2018 at 6:45pm. Motion was moved by Jim W and seconded by Jim M. **The PBPRC voted 5-0-3, the motion passed. Jo Ann, Isaac and Jim N abstained.** A site visit is to be scheduled for that same day.

Next, the Committee met with Phil Regan to review preliminary plans for Steinberg of 264 Lighthouse to remove the existing building and build a structure (further from the lot line) with a detached bedroom connected by a deck. The Committee reviewed the existing structure elevations and found that the proposed structure would be 2,233sf of above ground deck and living space (current footprint is 1,230sf) and approximately 5ft lower in height than existing. The proposed roof would be flat and potentially designed as a green roof. The Committee didn’t see any current issues with the proposed project. Phil noted that window calculations would be done to ensure that the structure complies with the “50% wall of glass” policy. A Special Permit application will be submitted and reviewed at the November 13th meeting.

PBPRC opened a meeting to conduct a final landscape review for Sam and Laura Hart of 275 Lighthouse Road Map 5 Lots 22 & 39.1. The Committee reviewed a site plan showing a proposed new curb cut and additional screening of the structure along Lighthouse Road. The Committee requested that the owners plant vegetation (if it doesn’t already exist) closer to the structure so that when looking at the structure from the public way the mass of the building will be broken up. There was brief discussion regarding the shed on the lot. Owner plans on submitting a Special Permit application and relocating the shed further from the lot line. The Committee requested that the current exterior lighting be changed or fixed so that it is compliant with the Towns Exterior Lighting Bylaw. Peter entertained a motion to approve the plan as presented.

Motion was moved by Jim W and seconded by Jim M. The PBPRC voted 8-0, the motion passed.

The Committee reviewed the 10/10/18 minutes. Peter entertained a motion to approve the minutes as presented and amended. Motion was moved by Berta and seconded by Jo Ann. The PBPRC voted 8-0, the motion passed.

The Committee briefly discussed the following thoughts and ideas as potential bylaw revisions to bring before the Town for further discussion:

- Clarification on how neighbors' views should be considered when formalizing a decision, if any, and whether it is a good premise to be operating from.
- Reviewing the permitting process for green roofs and tent platforms.

There was discussion regarding the Belain property along State Road (cutting of vegetation and grading that seems to cut deep into the hillside). It was noted that an abutter voiced concern with the brush cutting and exposed hillside. Peter noted that this is a violation of the Archeological Bylaw because they cut approximately 6ft into the top of the hillside. However, there is no enforcement for the Archeological Bylaw. The Committee questioned whether there should be some enforcement on Archeological violations defined in the bylaw.

There was brief discussion on how to address architecture firms that continue to delineate from approved plans without review and/or approval from the Committee. Jim M recommended that the Committee require and/or request certified post completion reports to confirm that the as-built matches the approved plan. Peter recommended that these reports be completed in stages and in areas that are more sensitive. The Committee discussed requesting a post completion report for the Niessen structure at the November 7th meeting.

With no other comments, the meeting adjourned at 8:45pm.

Respectfully submitted,

Sophia Welch

Board Administrative Assistant